REMARKS

Claims 1, 4, 6, 10, 12, and 16 have been amended. Claims 2, 3, 8, 9, 14, and 15 have been canceled. No new claims have been added. Claims 1, 4-7, 10-13, and 16-17 remain pending in the application.

Applicant thanks the Examining Attorney for indicating claims 4, 10, and 16 would be allowable if rewritten in independent form. Claims 1, 6, and 12 have been amended accordingly.

Objections/Rejections
Under 35 U.S.C. §103

1.0 *The Examining Attorney has rejected claims 1-3, 5-9, 11-15, and 17 as anticipated by Strumolo et al. (US Patent No. 6831572).*

SUMMARY OF CITED REFERENCES

Strumolo *et al.* discloses a collision warning system comprising a first paired receiver and transmitter, a means in electrical communication with the first receiver for generating a perceptible signal upon receipt of a signal from a transmitter.

SUMMARY OF CLAIMED INVENTION

A First Embodiment of the present claimed invention (claims 1-5) is directed to a proactive collision avoidance system having a first paired set of a transmitter and a receiver, a means for preventing the receiver in the first paired set from receiving the radio signal transmitted by the transmitter in the first paired set while permitting the receiver in the first paired set to receive a radio signal transmitted by a transmitter in a second paired set wherein the means comprises a switch with a timer; and a means in electrical communication with the receiver in the first paired set for generating a perceptible signal upon receipt of the radio signal from the second paired set.

A Second Embodiment of the present claimed invention (claims 6-11) is directed to a proactive collision avoidance system mounted onto a recreational vehicle having a first paired set

of a transmitter and a receiver, a means for preventing the receiver in the first paired set from receiving the radio signal transmitted by the transmitter in the first paired set while permitting the receiver in the first paired set to receive a radio signal transmitted by a transmitter in a second paired set wherein the means comprises a switch with a timer; and a means in electrical communication with the receiver in the first paired set for generating a perceptible signal upon receipt of the radio signal from the second paired set.

A Third Embodiment of the present claimed invention (claims 12-17) is directed to a method having the steps of (1) activating a proactive collision avoidance system mounted onto a first recreational vehicle having a first paired set of a transmitter and a receiver, a means for preventing the receiver in the first paired set from receiving the radio signal transmitted by the transmitter in the first paired set while permitting the receiver in the first paired set to receive a radio signal transmitted by a transmitter in a second paired set wherein the means comprises a switch with a timer; and a means in electrical communication with the receiver in the first paired set for generating a perceptible signal upon receipt of the radio signal from the second paired set; (2) transmitting the radio signal from the transmitter of the first paired set; and (3) receiving the radio signal from the transmitter of the second paired set installed on a second recreational vehicle, by the receiver of the first paired set, wherein the perceptible signal is generated by the first paired set so as to provide a warning that the second recreational vehicle is within the limited distance of the first recreational vehicle.

LEGAL BASIS

For an anticipation rejection under 35 U.S.C. §102 to stand, the cited reference(s) must meet each and every element of the claimed invention. *See,* Hybritech Inc. v. Monoclonal Antibodies, Inc., 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986); Kloster Speedsteel AB et al. v. Crucible Inc. et al., 230 U.S.P.Q. 81, 84 (Fed. Cir. 1986). Accordingly, the exclusion of a claimed element from a prior art reference is enough to negate anticipation by that reference. Atlas Powder Co. v. E.I. duPont De Nemours & Co., 224 U.S.P.Q. 409, 411 (Fed. Cir. 1984).

STRUMOLO *ET AL.* DOES NOT DISCLOSE EACH AND EVERY ELEMENT OF THE CLAIMED INVENTION.

FIRST EMBODIMENT

Strumolo *et al.* discloses a collision warning system comprising a first paired receiver and a transmitter, a means in electrical communication with the first receiver for generating a perceptible signal upon receipt of a signal from a transmitter. Strumolo *et al.* teaches that the transceivers used may receive signals from the first or second transmitter (Column 4, lines 28-34). Strumolo *et al.* does not disclose, teach, or suggest providing a switch with a timer for preventing the receiver in the first paired set from receiving the radio signal transmitted by the transmitter in the first paired set while permitting the receiver in the first paired set to receive a radio signal transmitted by a transmitter in a second paired set.

SECOND EMBODIMENT

Strumolo *et al.* discloses a collision warning system mounted onto a recreational vehicle comprising a first paired receiver and a transmitter, a means in electrical communication with the first receiver for generating a perceptible signal upon receipt of a signal from a transmitter. Strumolo *et al.* teaches that the transceivers used may receive signals from the first or second transmitter (Column 4, lines 28-34). Strumolo *et al.* does not disclose, teach, or suggest providing a switch with a timer for preventing the receiver in the first paired set from receiving the radio signal transmitted by the transmitter in the first paired set while permitting the receiver in the first paired set to receive a radio signal transmitted by a transmitter in a second paired set.

THIRD EMBODIMENT

Strumolo *et al.* discloses a method having the steps of activating a collision warning system mounted onto a recreational vehicle comprising a first paired receiver and a transmitter, a means in electrical communication with the first receiver for generating a perceptible signal upon receipt of a signal from a transmitter. Strumolo *et al.* teaches that the transceivers used may receive signals from the first or second transmitter (Column 4, lines 28-34). Strumolo *et al.* does not disclose,

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CONCLUSION

Applicant respectfully submits that all pending claims (claims 1, 4-7, 10-13, and 16-17) are in condition for allowance.

Respectfully submitted,

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